

DOCUMENTS UNDER SEAL ☐

TOTAL TIME (mins): 7 Mins

MAGISTRATE JUDGE MINUTE ORDER		DEPUTY CLERK Ivy L. Garcia		REPORTER/FTR FTR: 3/11/08 10:04:53-10:11:45	
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL		DATE 3/11/08		NEW CASE <input type="checkbox"/>	CASE NUMBER CR-08-00142-SBA
APPEARANCES					
DEFENDANT JOSE ANTONIO DEL TORO-SANCHEZ		AGE Y	CUST Y	P/NP P	ATTORNEY FOR DEFENDANT Shawn Halbert
U.S. ATTORNEY Douglas Sprague for Chinhayi Coleman		INTERPRETER Angela Zawadski (Spanish Int.)		<input type="checkbox"/> FIN. AFFT SUBMITTED	<input type="checkbox"/> COUNSEL APPT'D
PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Paul Mamaril	DEF ELIGIBLE FOR APPT'D COUNSEL		<input type="checkbox"/> PARTIAL PAYMENT OF CJA FEES	
PROCEEDINGS SCHEDULED TO OCCUR					
<input type="checkbox"/> INITIAL APPEAR	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION		<input type="checkbox"/> JUGM'T & SENTG	<input checked="" type="checkbox"/> STATUS
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING		<input type="checkbox"/> INITIAL APPEAR REV PROB OR S/R	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> TIMING OF DETENTION HRG WAIVED BY THE DEFT.	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA		<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING
INITIAL APPEARANCE					
<input type="checkbox"/> ADVISED OF RIGHTS	<input type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME		<input type="checkbox"/> TRUE NAME	
ARRAIGNMENT					
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE		<input type="checkbox"/> WAIVER OF INDICTMENT FILED RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND	
RELEASE					
<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$		SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$		CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>	
<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input checked="" type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input checked="" type="checkbox"/> TIMING OF DETENTION HEARING AND FORMAL FINDINGS WAIVED BY THE DEFT.	
ORDER REMOVED TO THE DISTRICT OF					
PLEA					
<input type="checkbox"/> CONSENT ENTERED		<input type="checkbox"/> NOT GUILTY		<input type="checkbox"/> GUILTY	
<input type="checkbox"/> PRESENTENCE REPORT ORDERED		<input type="checkbox"/> CHANGE OF PLEA		<input type="checkbox"/> PLEA AGREEMENT FILED	
GUILTY TO COUNTS: <input type="checkbox"/>					
OTHER:					
CONTINUANCE					
TO: 4/1/08		<input type="checkbox"/> ATTY APPT HEARING		<input type="checkbox"/> BOND HEARING	
AT: 9:00 a.m.		<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT		<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGN- MENT	
BEFORE HON. S. B. ARMSTRONG		<input type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> MOTIONS	
<input checked="" type="checkbox"/> TIME WAIVED BY THE DEFT. RE: SPEEDY TRIAL ACT CALCULATION BET. NOW & UNTIL 4/1/08 FOR EFFECTIVE PREP. OF COUNSEL		<input checked="" type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161		<input type="checkbox"/> IDENTITY / REMOVAL HEARING	
				<input type="checkbox"/> STATUS RE: CONSENT	
				<input type="checkbox"/> CHANGE OF PLEA	
				<input type="checkbox"/> JUDGMENT & SENTENCING	
				<input type="checkbox"/> PRETRIAL CONFERENCE	
				<input type="checkbox"/> PROB/SUP REV. HEARING	
ADDITIONAL PROCEEDINGS					

The govt's atty. provided the Court & deft's atty. with a copy of the detainer that has been lodged on the deft. by ICE (Immigration and Customs Enforcement). In light of the ICE detainer, the deft. waived the timing of his Detention Hrg. The deft. was ordered detained. The deft. reserves his rights to have his Detention Hrg. -- if & when he believes it will be on his best interest to put his Detention Hrg. back on calendar later. Request for discovery was made by the deft's atty. to the govt's atty. AUSA D. Sprague told Court that per AUSA C. Coleman's note on her file, the discovery is on route to the deft's atty. DOCUMENT NUMBER: cc: WDB's Stats, Lisa Clark, Pretrial

Department of Homeland Security
Immigration and Customs Enforcement

RECEIVED Immigration Detainer - Notice of Action

MAR 11 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

File No.

A 78 541 561

Date: March 5, 2008

To: (Name and title of institution)

CUSTODIAN OF RECORDS, HOLDS WARRANTS/DETAINERS
U.S. MARSHAL SERVICE, STATE PRISONS, CITY/COUNTY JAIL,
CALIFORNIA DEPARTMENT OF CORRECTIONS OR ANY OTHER
SUBSEQUENT LAW ENFORCEMENT AGENCY

From: (INS office address)

U.S. Department of Homeland Security
Immigration and Customs Enforcement
630 Sansome Street, 5th Floor
San Francisco, CA 94111

Name of alien: **DEL TORO-Sanchez, Jose Antonio**
FBI # 158911PB3

Date of birth: 8/8/1977 Nationality: Mexico Sex: Male

You are advised that the action noted below has been taken by the Immigration and Customs Enforcement concerning the above-named inmate of your institution:

- ☒ Investigation has been initiated to determine whether this person is subject to removal from the United States.
- ☐ A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on _____
(Date)
- ☐ A warrant of arrest in removal proceedings, a copy of which is attached, was served on _____
(Date)
- ☐ Deportation or removal from the United States has been ordered.

It is requested that you:

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work and quarters assignments, or other treatment which he or she would otherwise receive.

- ☒ Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal holidays) to provide adequate time for INS to assume custody of the alien. You may notify INS by calling 415 844-5512 during business hours or 415 844-5549 after hours in an emergency.

- ☒ Please complete and sign the bottom block of the duplicate of this form and return it to this office. ☒ A self-addressed stamped envelope is enclosed for your convenience. ☒ Please return a signed copy via facsimile to 415 844-5562
(Area code and facsimile number)

Return fax to the attention of Polly Kaiser at 415 844-5536
(Name of INS officer handling case) (Area code and phone number)

- ☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- ☒ Notify this office in the event of the inmate's death or transfer to another institution.
- ☐ Please cancel the detainer previously placed by this Service on _____

Polly Kaiser #3149
(Signature of INS official)

Deportation Officer
(Title of INS official)

Receipt acknowledged:

Date of latest conviction: _____ Latest conviction charge: _____
Estimated release date: _____

Signature and title of official:

[Signature] DUSM

3/7/08